



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

MICHAEL P. MORRIS  
BOEHRINGER INGELHEIM USA  
CORPORATION  
900 RIDGEURY ROAD  
P. O. BOX 368  
RIDGEFIELD CT 06877-0368

**MAILED**  
APR 05 2011  
**OFFICE OF PETITIONS**

In re Application of :  
Kladders et al. : DECISION ON REQUEST  
Patent Number: 7,878,193 : FOR RECONSIDERATION OF  
Issue Date: 02/01/2011 : PATENT TERM ADJUSTMENT  
Application No. 10/757047 : and  
Filing or 371(c) Date: 01/14/2004 : NOTICE OF INTENT TO ISSUE  
Attorney Docket Number: 01-1449 : CERTIFICATE OF CORRECTION

This is a decision on the petition filed March 2, 2011, which is being treated as a petition under 37 CFR 1.705(d), requesting that the patent term adjustment indicated on the above-identified patent be corrected to indicate that the term of the above-identified patent is extended or adjusted by one thousand one hundred eighty-five (1185) days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by one thousand one hundred eighty-five (1185) days is **GRANTED to the extent indicated herein**.

As the period from the filing date of the request for continued examination (RCE) to the issue date of the patent is not included in the "B" delay period, the over three year period begins on January 15, 2007, and ends on January 14, 2007, the day before the RCE was filed, and is 365 days. See, 35 U.S.C. 154(b)(1)(B)(i). As such, the patent term adjustment is 1184 days, not 1185 days.

The Office will *sua sponte* issue a certificate of correction. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

The application is being forwarded to the Certificates of Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by one thousand one hundred eighty-four (1184) days.

Telephone inquiries specific to this matter should be directed to the undersigned at (571) 272-3232.

/DLW/

Derek L. Woods  
Attorney  
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT : 7,878,193 B2

DATED : February 1, 2011

INVENTOR(S) : Kladders et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[\*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 912 days..

Delete the phrase "by 912 days" and insert – by 1184 days--